

Amendments to the Claims

This listing of claims will replace all prior versions, and listings, of claims in the application.

Listing of Claims:

Claims 1-11 (Cancelled)

12. (Currently Amended) The disk drive of claim ~~11~~ 18, wherein the time count increments by a first value for each idle state.

13. (Original) The disk drive of claim 12, wherein the time count decrements by a second value for each busy state.

14. (Original) The disk drive of claim 13, wherein the first value and the second value comprise a ratio of values based on a target duty cycle for the disk drive.

Claims 15-17 (Cancelled)

18. (Currently Amended) ~~The A disk drive of claim 10 comprising:~~
a storage disk; and
a controller coupled to the storage disk and controlling data reads from and data writes to
the storage disk by monitoring a number of idle states and busy states and limiting performance

of read/write commands based on whether a sufficient number of idle states has been monitored to avoid exceeding a duty cycle rating of the disk drive, wherein the controller further:

utilizes a time count that adjusts in accumulated value based on the number of idle states and busy states in the disk drive;

determines whether the time count has an accumulated value that is greater than zero;

performs a read/write command when the accumulated value is greater than zero; and

delays performance of a read/write command until the accumulated value is greater than zero.

Claims 19-20 (Cancelled)